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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,671	12/28/2005	Magnus Bengtsson	P17807-US2	1680
27045	7590	08/24/2009	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			MALEK, LEILA	
			ART UNIT	PAPER NUMBER
			2611	
			MAIL DATE	DELIVERY MODE
			08/24/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed on 08/10/2009 have been fully considered but they are not persuasive.

**Applicant's Argument:** Applicant argues that claims 1 and 10 as amended overcome the rejection made by the Examiner in the office action dated 06/09/2009. Applicant indicates that the amended claims show that the present invention truncates and saturates the LSBs and does not truncate or saturate the MSBs.

**Examiner's Response:** In response to Applicant's argument Examiner asserts that the amended claims are only the reworded versions of the previous claims and Applicant has not added any further details to the claims. Regarding the limitations discussed by the Applicant, Examiner asserts that still it is not clear from the language of the claim whether the LSBs are the removed bits from a set of data symbols or they are the remaining bits after truncation has been performed. Applicant in remarks states that the MSBs are neither truncated nor saturated, which means that they have not been removed from the first set of bits. However, in the claim Applicant indicates "deriving from each despread data symbol a truncated data symbol comprising a second number of bits, the truncated data symbol obtained by truncating each despread data symbol provided from the RAKE unit, said second number of bits being the least significant bits". From this limitation it appears that everything (including MSBs) except LSBs have been removed. Therefore, there is inconsistency between the invention disclosed in the remarks and the claimed subject matter.

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**Applicant's Argument:** Applicant argues Easton does not disclose that the level of the symbols provided from the RAKE is adjusted in dependence of the level of the saturated data symbols to prevent overflow.

**Examiner's Response:** In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the level of the symbols provided from the RAKE is adjusted in dependence of the level of the saturated data symbols) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Applicant in claims 1 and 10, states "level adjusting the despread data symbols provided from the RAKE unit in dependence of said despread data symbols". In these claims, adjustment has been performed based on the despread data symbols and not the saturated data symbols. Furthermore, Applicant has not tied limitation "so that overflow for the truncated data symbols is prevented" to the previous limitation regarding the "level adjusting". Therefore, as cited in the previous office action the combination of Easton and Applicant's background of invention discloses all the subject matters claimed in claims 1 and 10.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEILA MALEK whose telephone number is (571)272-8731. The examiner can normally be reached on 9AM-5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leila Malek  
Examiner  
Art Unit 2611

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